

REMARKS

The Examiner's indication of allowable subject matter is noted with appreciation.

Claims 34-48 are pending in the application. Claims 1-33 have been cancelled without prejudice or disclaimer. New claims 34-48 readable on the elected species/invention have been added to provide Applicants with the scope of protection to which they are believed entitled. New independent claims 34 and 39 include the indicated allowable subject matter. Dependent claims 35-38 and 40-48 include limitations of original, elected claims 2, 8, 11, 16, 20-21 and 26-31, respectively. The specification has been revised to remove the noted informality. No new matter has been introduced through the foregoing amendments.

The objection to the drawings for failing to show reference sign 200 is believed overcome in view of the amendment to the specification.

The objection to the drawings for failing to comply with *37 CFR 1.84* is traversed. The instant application was published on October 14, 2004 as U.S. Patent Application Publication No. 2004/0200126. This means the original drawings have been found by the USPTO to be acceptable, i.e., in compliance with *37 CFR 1.84*. See attached *Exhibit A* which includes the USPTO's definition of "Acceptable Drawing." Thus, no drawing correction is deemed required. However, if the Examiner insists otherwise, would he please immediately call the undersigned so that necessary correction satisfying the Examiner's requirement may be timely filed, avoiding a holding of abandonment of the instant application.

The claim rejections are believed moot or overcome in view of the above amendments, as all new claims now include the indicated allowable subject matter. The claims have been carefully reviewed and are believed free of any issues within the meaning of *35 U.S.C. 112, second paragraph*.

Accordingly, Applicants respectfully submit that all claims are now in condition for

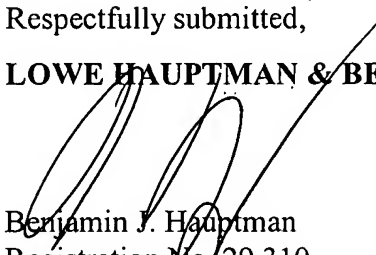
allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN & BERNER, LLP



Benjamin J. Hauptman
Registration No. 29,310

Customer Number: 22429
1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
(703) 684-1111
(703) 518-5499 Facsimile
Date: August 21, 2006
BJH/KL/cjf

(x) *Holes.* No holes should be made by applicant in the drawing sheets.

(y) ***>Types of drawings.* See § 1.152 for design drawings, § 1.165 for plant drawings, and § 1.173(a)(2) for reissue drawings.<

Drawings on paper are acceptable as long as they are in compliance with 37 CFR 1.84. Corrections thereto must be made in the form of replacement sheets labeled, in the header, “Replacement Sheet” since the Office does not release drawings for correction. See 37 CFR 1.85.

>Each drawing sheet submitted after the filing date of an application must be identified as either “Replacement Sheet” or “New Sheet” so that the Office will recognize how to treat such a drawing sheet for entry into the application. See 37 CFR 1.84(c). If a marked-up copy of any amended drawing figure, including annotations indicating the changes made, is filed, such marked-up copy must be clearly labeled as “Annotated Sheet.”<

Good quality copies made on office copiers are acceptable if the lines are uniformly thick, black, and solid. Facsimile copies of drawings are acceptable if included with application papers mailed or hand-carried to the Office or if submitted at the time of payment of the issue fee (see “Payment of the Issue Fee and Filing Related Correspondence by Facsimile,” 1254 O.G. 91 (January 15, 2002)). Applicants should ensure that the facsimile transmission process does not unreasonably degrade the quality of the drawings.

Drawings are currently accepted in two different size formats. It is, however, required that all drawing sheets in a particular application be the same size for ease of handling and reproduction.

For examples of proper drawings, in addition to selected rules of practice related to patent drawings and interpretations of those rules, see the “Guide for the Preparation of Patent Drawings” which is available from the USPTO web site at www.uspto.gov.

For information regarding certified copies of an application-as-filed which does not meet the sheet size/margin and quality requirements of 37 CFR 1.52, 1.84(f), and 1.84(g), see MPEP § 608.01.

For design patent drawings, 37 CFR 1.152, see MPEP § 1503.02.

For plant patent drawings, 37 CFR 1.165, see MPEP § 1606.

For reissue application drawings, see MPEP § 1413.

For correction of drawings, see MPEP § 608.02(p). For prints, preparation and distribution, see MPEP § 508 and § 608.02(m). For prints, return of drawings, see MPEP § 608.02(y).

For amendment of drawings, see MPEP § 714.

For pencil notations of classification and name or initials of assistant examiner to be placed on drawings, see MPEP § 719.03.

The filing of a divisional or continuation application under the provisions of 37 CFR 1.53(b) (unexecuted application) does not obviate the need for acceptable drawings. See MPEP § 608.02(b).

See MPEP § 601.01(f) for treatment of applications filed without drawings and MPEP § 601.01(g) for treatment of applications filed without all figures of drawings.

VI. DEFINITIONS

A number of different terms are used when referring to drawings in patent applications. The following definitions are used in this Manual.

Original drawings: The drawing submitted with the application when filed.

Substitute drawing: A drawing filed later than the filing date of an application. Usually submitted to replace an original informal drawing.

Acceptable drawing: A drawing that is acceptable for publication of the application or issuance of the patent.

Corrected drawing: A drawing that includes corrections of informalities and changes approved by the examiner.

Informal drawing: A drawing which does not comply with the form requirements of 37 CFR 1.84. Drawings may be informal because they are not on the proper size sheets, the quality of the lines is poor, or for other reasons such as the size of reference elements. Informal drawings could be acceptable for the purposes of publication and examination. An objection will generally only be made to an informal drawing if the Office is unable to reproduce the drawing or the contents of the drawing are unacceptable to the examiner.

Drawing print: This term is used for the white paper print prepared by the Scanning Division of the Office of Initial Patent Examination (OIPE) of original drawings in paper application files. The drawing prints contain the application number near the left-